

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:06CR129

KENNETH BUSBY, ET AL

ORDER

This cause is before the Court on a Motion for Continuance [41] by defendant Busby. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for January 30, 2007. Counsel for defendant avers that he has had insufficient time to devote to trial preparation in his trial obligations in other matters. Based on the foregoing, the Court finds that the defendant's Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from January 30, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant Busby's Motion for Continuance [41] is GRANTED;

2. That the trial of this matter is continued as to all defendants until Monday, March 5, 2007 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from January 30, 2007 until March 5, 2007 is excluded as set out above;
4. That the deadline for filing pretrial motions is February 12, 2007;
5. That the deadline for submitting a plea agreement is February 19, 2007.

SO ORDERED, this the 19th day of December, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE